

107TH CONGRESS
1ST SESSION

S. 1829

To provide for transitional employment eligibility for qualified lawful permanent resident alien airport security screeners until their naturalization process is completed, and to expedite that process.

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2001

Mrs. FEINSTEIN (for herself, Mr. HOLLINGS, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide for transitional employment eligibility for qualified lawful permanent resident alien airport security screeners until their naturalization process is completed, and to expedite that process.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Airport Security Per-
5 sonnel Protection Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) AIRPORT SECURITY SCREENER.—The term
 2 “airport security screener” means an individual who
 3 is employed to perform security screening services at
 4 an airport in the United States.

5 (2) LAWFUL PERMANENT RESIDENT ALIEN.—
 6 The term “lawful permanent resident alien” means
 7 an alien lawfully admitted for permanent residence,
 8 as defined in section 101(a)(20) of the Immigration
 9 and Nationality Act (8 U.S.C. 1101(a)(20)).

10 (3) QUALIFIED LAWFUL PERMANENT RESIDENT
 11 ALIEN DEFINED.—The term “qualified lawful per-
 12 manent resident alien” means an alien with respect
 13 to whom a certification has been made by the Under
 14 Secretary of Transportation for Security under sec-
 15 tion 111(e)(1)(B) of the Aviation and Transpor-
 16 tation Security Act (Public Law 107–71), as added
 17 by section 3 of this Act.

18 **SEC. 3. TRANSITIONAL EMPLOYMENT ELIGIBILITY FOR**
 19 **QUALIFIED LAWFUL PERMANENT RESIDENT**
 20 **AIRPORT SECURITY SCREENERS.**

21 (a) IN GENERAL.—Section 111 of the Aviation and
 22 Transportation Security Act (Public Law 107–71) is
 23 amended by adding at the end the following:

24 “(e) SPECIAL TRANSITION RULE FOR QUALIFIED
 25 LAWFUL PERMANENT RESIDENT ALIENS.—

1 “(1) IN GENERAL.—Notwithstanding any rule
2 or regulation promulgated to implement the citizen-
3 ship requirement in section 44935(e)(2)(A)(ii) of
4 title 49, United States Code, as amended by sub-
5 section (a), or any other provision of law prohibiting
6 the employment of aliens by the Federal Govern-
7 ment, an alien shall be eligible for hiring or contin-
8 ued employment as an airport security screener until
9 the naturalization process for such alien is com-
10 pleted, if—

11 “(A) the Attorney General makes the cer-
12 tification described in paragraph (2) to the
13 Under Secretary of Transportation for Security
14 with respect to the alien; and

15 “(B) the Under Secretary of Transpor-
16 tation for Security makes the certification de-
17 scribed in paragraph (3) to the Attorney Gen-
18 eral with respect to such alien.

19 “(2) CERTIFICATION BY THE ATTORNEY GEN-
20 ERAL.—A certification under this paragraph is a
21 certification by the Attorney General, upon the re-
22 quest of the Under Secretary of Transportation for
23 Security, with respect to an alien described in para-
24 graph (1) that—

1 “(A) the alien is a lawful permanent resi-
2 dent alien (as defined in section 2 of the Air-
3 port Security Personnel Protection Act); and

4 “(B)(i) an application for naturalization
5 has been approved, and the alien is awaiting the
6 holding of a ceremony for the administration of
7 the oath of renunciation and allegiance, as re-
8 quired by section 337 of the Immigration and
9 Nationality Act (8 U.S.C. 1448);

10 “(ii) an application for naturalization filed
11 by the alien prior to the date of enactment of
12 this Act is pending before the Immigration and
13 Naturalization Service but has not been finally
14 adjudicated; or

15 “(iii) the alien—

16 “(I) satisfies, or will satisfy within
17 one year of the date of certification if the
18 alien remains in the United States, the res-
19 idence requirements applicable to the alien
20 in the Immigration and Nationality Act, or
21 any other Act that are necessary for eligi-
22 bility for naturalization; and

23 “(II) not more than 180 days after
24 the date of enactment of the Airport Secu-
25 rity Personnel Protection Act, filed under

1 section 334(f) of the Immigration and Na-
2 tionality Act an application for a declara-
3 tion of intention to become a United States
4 citizen.

5 “(3) CERTIFICATION BY THE UNDER SEC-
6 RETARY OF TRANSPORTATION.—A certification
7 under this paragraph is a certification by the Under
8 Secretary of Transportation for Security with re-
9 spect to an alien described in paragraph (1) that—

10 “(A) the Under Secretary has decided to
11 hire or continue the employment of such alien;
12 and

13 “(B) the alien—

14 “(i) meets the qualifications to be a
15 security screener under section 44935(f);

16 “(ii) was employed as an airport secu-
17 rity screener as of the date of enactment
18 of this Act, as determined by the Under
19 Secretary of Transportation for Security;
20 and

21 “(iii) has undergone and successfully
22 completed an employment investigation (in-
23 cluding a criminal history record check) re-
24 quired by section 44935(e)(2)(B) of such
25 title, as amended by subsection (a).”.

1 (b) EFFECTIVE DATE.—The amendment made by
 2 subsection (a) shall be deemed effective as if included in
 3 the enactment of the Aviation and Transportation Secu-
 4 rity Act.

5 **SEC. 4. EXPEDITED NATURALIZATION FOR QUALIFIED LAW-**
 6 **FUL PERMANENT RESIDENT AIRPORT SECU-**
 7 **RITY SCREENERS.**

8 (a) REQUIREMENT.—

9 (1) IN GENERAL.—For the purpose of enabling
 10 qualified lawful permanent resident aliens to satisfy
 11 in a timely manner the citizenship requirement in
 12 section 44935(e)(2)(A)(ii) of title 49, United States
 13 Code, the Attorney General shall expedite—

14 (A) the processing and adjudication of an
 15 application for naturalization filed by any quali-
 16 fied lawful permanent resident alien who was
 17 employed as an airport security screener as of
 18 the date of enactment of the Aviation and
 19 Transportation Security Act (Public Law 107–
 20 71); and

21 (B) if such application for naturalization is
 22 approved, the holding of a ceremony for admin-
 23 istration of the oath of renunciation and alle-
 24 giance to such qualified lawful permanent resi-
 25 dent alien, as required by section 337 of the

1 Immigration and Nationality Act (8 U.S.C.
2 1448).

3 (b) DEADLINES FOR COMPLETED ACTION.—The At-
4 torney General shall complete the actions described in sub-
5 section (a)—

6 (1) not later than 30 days after the date of en-
7 actment of this Act, in the case of a qualified lawful
8 permanent resident alien with respect to whom an
9 application for naturalization is approved but such
10 alien is awaiting the holding of a ceremony for the
11 administration of the oath of renunciation and alle-
12 giance, as required by section 337 of the Immigra-
13 tion and Nationality Act (8 U.S.C. 1448);

14 (2) not later than 180 days after the date of
15 enactment of this Act, in the case of a qualified law-
16 ful permanent resident alien with respect to whom
17 an application for naturalization was pending on the
18 date of enactment of this Act; and

19 (3) not later than 180 days after the date on
20 which an application for naturalization is received by
21 the Attorney General, in the case of a qualified law-
22 ful permanent resident alien with respect to whom
23 an application for naturalization is filed after the
24 date of enactment of this Act.

1 (c) STATUTORY CONSTRUCTION.—Nothing in this
2 section may be construed to lower the standards of quali-
3 fication set forth in title III of the Immigration and Na-
4 tionality Act (8 U.S.C. 1401 et seq.) that applicants for
5 naturalization must meet in order to become naturalized
6 citizens of the United States.

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